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Honorable Fred Van Sickle  
Provisional Hearing Date:  
October 2, 2009  
Hearing Time: *no oral  
argument requested*

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11 UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF WASHINGTON  
13

14 LARRY I. NEWKIRK AND  
15 RUTH A. NEWKIRK,

16 Plaintiffs,

17 vs.

18 CONAGRA FOODS, INC., a  
19 Delaware corporation, *et al.*,

20 Defendants.

Case No. CV-08-0273-FVS

**ORDER GRANTING JOINT  
MOTION OF PLAINTIFFS AND  
DEFENDANT GIVAUDAN  
FLAVORS CORPORATION TO  
DISMISS DEFENDANT GIVAUDAN  
FLAVORS CORPORATION WITH  
PREJUDICE**

21 This matter has come before the Court on the joint motion of Plaintiffs and  
22 Defendant Givaudan Flavors Corporation (“Givaudan”) to dismiss all claims  
23 against Givaudan with prejudice and without costs to either party pursuant to  
24 Fed.R.Civ.P. 41(a)(2). The Court, having considered the motion setting forth that  
25 Plaintiffs and Givaudan have settled all issues between them, have agreed to a  
26

ORDER GRANTING JOINT MOTION TO  
DISMISS WITH PREJUDICE (CV-08-0273) - 1

SEA\_DOCS:934556.1 [14580-00100]

GARVEY SCHUBERT BARER  
A PARTNERSHIP OF PROFESSIONAL CORPORATIONS  
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1 dismissal with prejudice and have further agreed that each party shall bear its own  
2 costs, NOW, THEREFORE

3 IT IS HEREBY ORDERED:

4 1. Plaintiffs and Defendant Givaudan's joint motion to expedite (Ct.  
5 Rec. 132) is **GRANTED**.

6 2. Plaintiffs and Defendant Givaudan's joint motion to dismiss with  
7 prejudice (Ct. Rec. 130) is **GRANTED**; and it is

8 FURTHER ORDERED that all of Plaintiffs' claims as to Defendant  
9 Givaudan only in this case are dismissed with prejudice and without costs to any  
10 party.

11 DONE this 20th day of August, 2009.

12  
13 s/ Fred Van Sickle  
14 Honorable Fred Van Sickle  
15 Senior United States District Judge  
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